

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.447 OF 2002

IN

APPEAL NO.6 OF 2001

FROM

COMPANY PETITION NO.2642/45QA/CLB/WR/2000

Urmi Finance & Leasing Pvt.Ltd. ...Appellant.

VS.

Uttam Krishna Desai. ...Respondent.

Mr.Anil Menon,for Appellant.

None for Respondent.

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 29th October,2007.

P.C.:-

1. By this appeal, the appellant challenges the

order dated 17.1.2002 passed in appeal no.6 of 2001 wherein the learned Single Judge has held that even assuming that the respondent is a shareholder, the deposit of Rs.11 lakhs admittedly made by him, cannot be termed as contribution towards capital. It appears that the order was made by the Company law board when the appellant had not filed its reply. Therefore, we had put it to the learned Counsel appearing for appellant that if the appellant is ready to deposit the amount in the Court, the Court may consider its request to remand back the matter to the Company law board. The learned Counsel sought time to take instructions. Today he informs that he could not contact his client and he is not in a position to contact his client. After having gone through the record, we do not see any reason to interfere with the order impugned. Appeal is therefore, disposed of.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)
